

ZONING BOARD OF APPEALS

Tuesday, April 15, 2008
6:30 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

ZBA Members: Alice Howard
Dan Roszkowski
Julio Salgado
Craig Sockwell

Absent: William Orr
Fred Money

Staff: Todd Cagnoni – Manager of Current Planning
Sandra Hawthorne – Administrative Assistant
Kerry Partridge – City Attorney
Mark Marinaro – Fire Department

Others: Kathy Berg, Stenographer
Applicants and Interested Parties

The meeting started at 6:30 P.M. A **MOTION** was made by Julio Salgado to **APPROVE** the minutes of the March 18, 2008 meeting as submitted. The Motion was **SECONDED** by Dan Roszkowski and **CARRIED** by a vote of 4-0 with William Orr and Fred Money absent.

004-08 **175 Executive Parkway**
Applicant First Rockford Group
Ward 1 **Variation** to increase maximum freestanding business sign
 height to 30 feet
 Variation to increase sign area to 320 square feet in the C-2,
 Commercial Community District
 Laid Over from February and March meeting

A request was received by the Applicant to lay this item over to the April meeting.

A **MOTION** was made by Dan Roszkowski to **LAY OVER** the Variation to increase maximum freestanding business sign height to 30 feet; the Variation to increase sign area to 320 square feet in the C-2, Commercial Community District at 175 Executive Parkway. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

005-08 **371 Blackhawk Park Avenue**
Applicant Warren Strom
Ward 5 **Special Use Permit** for an auto salvage or junk yard that does not satisfy the
 Performance Criteria of 1,000 feet away from a residential district in an I-2, General
 Industrial Zoning District
 Laid Over from February and March meeting

Prior to the meeting, a written request was received from the Applicant asking that this item be **Withdrawn**. As such, it was not heard at this meeting. No further action will be taken on this item.

016-08 **3470 North Alpine Road**
Applicant Fairhaven Christian Retirement Center / Atty. Carl Ecklund
Ward 4 **Modification of Special Use Permit #110-84 and #122-91 for a Planned Mixed Use Development** consisting of retirement community and associated uses in an R-3, Multi-family Residential District

With only 4 members of the Board in attendance, and Dan Roszkowski abstaining from vote, this item would have been unable to achieve a majority vote in order to move forward with a vote of Approval. The Applicant was present and, with this understanding, requested that the request for Modification of Special Use Permit be Laid Over to the May 20th Zoning Board of Appeals meeting.

A **MOTION** was made by Craig Sockwell to **LAY OVER** the Modification of Special Use Permit #110-84 and #122-91 for a Planned Mixed Use Development consisting of retirement community and associated uses in an R-3, Multi-family Residential District at 3470 North Alpine Road. The Motion was **SECONDED** by Julio Salgado and **CARRIED** by a vote of 3-0 with Dan Roszkowski abstaining.

017-08 **6161 East State Street**
Applicant GPD Group / Ryan Oyster
Ward 1 **Variation** to increase the number of allowable wall signage from the allowable four (4) to nine (9) in a C-2, Commercial Community Zoning District

Prior to the meeting, a written request was received by the Applicant to Lay Over this item to the May 20th meeting.

A **MOTION** was made by Dan Roszkowski to **LAY OVER** the Variation to increase the number of allowable wall signage from the allowable four (4) to nine (9) in a C-2, Commercial Community Zoning District at 6161 East State Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

018-08 **206, 210, 212, 214 Lane St. –and- 15XX, 1517, 1519 Rock St.**
Applicant Rockford Senior Housing Limited Partnership
Ward 5 **Zoning Map Amendment** from C-2, Commercial Community District to C-4, Commercial Oldtown District
 Special Use Permit for a Planned Mixed Use Development consisting of a senior housing facility consisting of 50 apartments for people over 62 years and older in a C-4, Commercial Oldtown District

This property is located south of Lane Street, west of Rock Street and directly south of Familia Foods – the Former IGA Store. Kenneth Edward Copeland representing the applicant, reviewed the requests. It is the Applicant's intent to develop affordable senior housing consisting of 50 apartments within a four-story building. Mr. Copeland explained the Applicant has been working with the City for some time to develop this project. Dan Roszkowski asked Mr. Copeland to verify the building materials would be a combination of brick and stucco. Mr. Copeland agreed these would be the materials used.

Staff Recommendation was for Approval with 3 conditions. No Objectors were present

A **MOTION** was made by Craig Sockwell to **APPROVE** the Zoning Map Amendment from C-2, Commercial Community District to C-4, Commercial Oldtown District and **APPROVE** the Special Use Permit for a Planned Mixed Use Development consisting of a senior housing facility consisting of 50 apartments for people over 62 years and older in a C-4, Commercial Oldtown District at 206, 210, 212, 214 Lane Street and 15XX, 1517, 1519 Rock Street. The Motion was **SECONDED** by Dan Roszkowski and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Submittal of a detailed landscape plan and elevation plan for staff review and approval.
3. The property is limited to 50 units as proposed by the applicant.

ZBA 018-08
Findings of Fact for a Zoning Map Amendment
From C-2, Commercial Community District to
C-4, Commercial Oldtown District at
206, 210, 212, 214 Lane Street & 15XX, 1517, 1519 Rock Street

Approval of this Zoning Map Amendment is based upon the following findings:

1. The proposed Zoning Map change is consistent with Article II, Intent and Purpose, of the Rockford Zoning Ordinance for the following reasons:
 - a. This proposal promotes the health, safety, comfort, convenience, morals and general welfare for the citizens of Rockford because it is consistent with the comprehensive plan and surrounding uses;
 - b. This proposal protects the character, scale and stability of the adjacent residential and commercial because the proposed development will meet all development requirements of this site; and
 - c. The proposed map amendment would allow for a reasonable development to take place consistent with the surrounding neighborhood and zoning district.
2. The proposed Zoning Map Amendment is consistent with the approved general plan, the Year 2020 Plan, for the area. The 2020 Plan designates this property as CD, Commercial Mixed Use.

ZBA 018-08
Findings of Fact for a Special Use Permit for a Planned Mixed Use Development
Consisting of a Senior Housing Facility Consisting of 50 Apartments
For People Over 62 Years and Older
In a C-4, Commercial Oldtown District at
206, 210, 212, 214 Lane Street & 15XX, 1517, 1519 Rock Street

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the C-4 District.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to the applicable regulations of the C-4 Zoning District and conditions of approval.

019-08

Applicant
Ward 1

7801 East State Street

Rapid Graphics & Signs

Special Use Permit for an on-premise electronic graphic display sign that exceeds the allowable 36 square feet to 136.5 square feet

Special Use Permit to allow for an additional free-standing sign

Variation to increase the allowable height of a free-standing sign from eight (8) feet to sixty-six and one half 66 ½) feet along Interstate 90 in a C-3, Commercial General Zoning District

Jerry Morrissey, representing the Applicant, reviewed the requests for Special Use Permits and Variations. This property is the Clock Tower Resort, specifically the CoCo Key Waterpark addition. Due to economic conditions, the Clock Tower is rebranding the hotel back to a Best Western. The CoCo Key Waterpark was added with the intention of attracting the Wisconsin Dell clientele. Because of the interstate location, the Variation for a free-standing sign is requested to attract I-90 traffic. For clarification, Mr. Cagnoni explained the regulations of the electronic sign and Mr. Morrissey stated they are in agreement with Rockford code requirements. A sidewalk was on the master plan when the property was developed but was never constructed. Mr. Morrissey stated the Clock Tower is in agreement to adding this sidewalk. The existing brick sign structure at the southeast corner of the property is dilapidated and will be removed within two weeks according to Mr. Morrissey.

Staff Recommendation was for Approval of all items with 7 conditions. No Objectors were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the Special Use Permit for an on-premise electronic graphic display sign that exceeds the allowable 36 square feet to 136.5 square feet; **APPROVE** the Special Use Permit to allow for an additional free-standing sign; **APPROVE** the Variation to increase the allowable height of a free-standing sign from eight (8) feet to sixty-six and one half 66 ½) feet along Interstate 90 in a C-3, Commercial General Zoning District at 7801 East State Street. The Motion was **SECONDED** by Julio Salgado and **CARRIED** by a vote of 4-0

Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. That the sign shall be for on-premise advertising only and off-premise advertising shall not be permitted.
3. Submittal of Permanent Sign Permit for Staff review and approval.
4. That the sidewalk required along State Street shall be installed prior to issuance of this sign permit.
5. The proposed signage must comply with all other Sign Regulations.
6. That the monument sign located on the northeast corner of the site shall be removed prior to issuance of this sign permit.
7. That the sign shall not be more than 20 feet above Interstate 90 driving surface.

ZBA 019-08

Findings of Fact for a Special Use Permit

**For an On-Premise Electronic Graphic Display Sign
That Exceeds the Allowable 36 Square Feet to 136.5 Feet
In a C-3, Commercial General Zoning District at
7801 East State Street**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to the applicable regulations of the C-3 Zoning District in which it is located.

ZBA 019-08
Findings of Fact for a Special Use Permit
To Allow an Additional Free-Standing Sign
In a C-3, Commercial General Zoning District at
7801 East State Street

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to the applicable regulations of the C-3 Zoning District in which it is located.

ZBA 019-08
Findings of Fact for a Variation
To Increase the Allowable Height of a Free-Standing Sign
From Eight Feet to Sixty-Six and One-Half Feet Along Interstate 90
In a C-3, Commercial General Zoning District at
7801 East State Street

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for a Variation is based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.

3. The purpose of the Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of the Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, nor substantially increase the congestion of the public streets, nor increase the danger of fire, or endanger the public safety, nor substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

020-08 1801 Samuelson Road

Applicant George C. Bravos
w/b Ward 6 **Annexation Agreement and Zoning Map Amendment** from
County AG to City R-2, Two-Family Residential District
Special Use Permit for a Planned Residential Development consisting of twelve (12)
3-unit condominium structures in an R-2, Two-Family Residential District

The subject property is located one block east of the 11th Street / Samuelson Road intersection and is the vacant Sunset Drive-In theater. The property is located in the County and the Applicant is requesting annexation as part of this application. Mark Crosby representing the Applicant, reviewed the requests. He explained the Applicant's intent to construct 12, 3-unit condominium buildings on this 17.88 acre parcel. Mr. Crosby stated the selling price of these units will be around \$160,000 - \$170,000. Each building width will be 110 feet. He feels these units will fit in well with the nearby residences. Dan Roszkowski asked Mr. Crosby if the trees to the south of the property would remain. Mr. Crosby replied that the property would be developed to whatever City standards would require.

Staff Recommendation was for Approval with 10 conditions. No Objectors were present.

A **MOTION** was made by Dan Roszkowski to **APPROVE** the Annexation Agreement and Zoning Map Amendment from County AG to City R-2, Two-Family Residential District; and to **APPROVE** the Special Use Permit for a Planned Residential Development consisting of twelve (12) 3-unit condominium structures in an R-2, Two-Family Residential District at 1801 Samuelson Road. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. The terms of the Annexation Agreement.
2. Submittal of a detailed site plan for staff review and approval.
3. Submittal of a detailed landscaping plan including size and botanical name of species for staff review and approval. The landscaping plan shall include a Type "A" buffer around the perimeter of the site.
4. Submittal of elevation drawings and floor plans for staff review and approval.
5. Submittal of a detailed detention and drainage plan for public works review and approval.
6. Installation of a fire suppression system in each unit.
7. Submittal of a Covenant and Restrictions, inclusive of the homeowner's association regulations, document for staff review and approval.
8. Submittal of a tentative and final plat for staff review and approval.
9. Compliance with all building and fire codes.
10. That the revised site plans approved by staff may result in the reduction of buildings and/or units per the discretion of the zoning officer.

ZBA 020-08
Findings of Fact for an Annexation Agreement and Zoning Map Amendment
From County AG to City R-2, Two-Family Residential District at
1801 Samuelson Road

Approval of this Zoning Map Amendment is based upon the following findings:

1. The proposed Zoning Map change is consistent with Article II, Intent and Purpose, of the Rockford Zoning Ordinance for the following reasons:
 - a. This proposal promotes the health, safety, comfort, convenience, morals and general welfare for the citizens of Rockford because it is consistent with the comprehensive plan and surrounding uses;
 - b. This proposal protects the character, scale and stability of the adjacent residential and commercial because the proposed development will meet all development requirements of this site; and
 - c. The proposed map amendment would allow for a reasonable development to take place consistent with the surrounding neighborhood
2. The proposed Zoning Map Amendment is consistent with the approved general plan, the Year 2020 Plan, for the area. The 2020 Plan designates this property as industrial.

ZBA 020-08
Findings of Fact for a Special Use Permit for a Planned Residential Development
Consisting of Twelve 3-Unit Condominium Structures
In an R-2, Two-Family Residential District at
1801 Samuelson Road

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The subject property is adjacent to the same use, which is the Valley Pine Condominium Subdivision.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to the applicable regulations of the R-2 Zoning District in which it is located.

021-08 Applicant w/b Ward 1	<u>17XX Lyford Road</u> Atty. Sherry Harlan / Rosecrance, Inc. Annexation Agreement and Zoning Map Amendment from County AG to City C-1, Limited Office District
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Prior to the meeting a written request was received by the Applicant's representative to Lay Over this item to the May 20th meeting. The Planning and Zoning Report prepared by Staff also recommended Lay Over.

A **MOTION** was made by Craig Sockwell to **LAY OVER** the Annexation Agreement and Zoning Map Amendment from County AG to City C-1, Limited Office District at 17XX Lyford Road. The Motion was **SECONDED** by Julio Salgado and **CARRIED** by a vote of 4-0.

022-08 **1621 North Alpine Road**
Applicant Atty. Russell Anderson / Kelley Williamson
Ward 10 **Modification of Special Use Permit** #096-93 for a 25 foot x 25 foot addition to an existing convenience store
 Variation in the landscaping requirements to allow landscaping as shown on the site plan with the elimination of the internal northeast planter
 Variation from the required nine (9) parking spaces to five (5) parking spaces in a C-3, Commercial General District

Attorney Russell Anderson and Jeff Bockhop from Stenstrom Engineering were present. Attorney Anderson explained he was representing the Mobile Station located just north of the Alpine and Highcrest Roads intersection, next to Edgebrook Shopping Center. This gas station was constructed in 1993 and wishes to expand the convenience store section for additional cooler and store space. Mr. Stenstrom presented drawings showing the layout of the site. It was explained that there will be no decrease in parking. Attorney Anderson explained a portion of a landscaping planter will be removed, but there will not a total elimination in this area. Additional landscaping will be added to improve the site.

Discussion was held on Staff conditions 5 and 6. Attorney Anderson explained that the sign staff wishes to replace is actually the Edgebrook Shopping Center sign, not a Mobil sign. The Applicant does not have the authority to modify or remove this sign. The existing freestanding Mobil sign has recently been modified to an LED display with 14" graphics showing the gas price. Attorney Anderson stated Mobil would like to see this sign remain. He requested conditions 5 and 6 be removed. He further explained that because of the existing parkway this sign would fit best. It was Attorney Anderson's understanding that under the new sign ordinance existing signs are grandfathered unless modified or removed and the Applicant wishes to continue this sign under those allowances. Attorney Anderson stated this sign was approved a few months ago. Mr. Cagnoni explained that he has discussed this area with Attorney Anderson and verified to the Board the sign ordinance was adopted in December and believes the existing Mobil sign was approved prior to the date of adoption. Regarding grandfathered signs, Mr. Cagnoni stated a situation such as this where a property is requesting a Special Use Permit or Variation was not an area discussed in detail as to whether signage would be required to be brought in to compliance. He agreed that the condition of removal of the shopping center sign can be eliminated. Because of the layout of the site Mr. Cagnoni agreed there would be some challenges in attempting to install a sign to current code on this property. Dan Roszkowski feels a monument sign would block the view of an area that is already hard to get in and out of.

Alice Howard asked if Staff felt comfortable removing conditions 5 and 6. Mr. Cagnoni stated Staff is certainly willing to work with the applicant in this area. He clarified that Staff Recommendation would remain at Approval with or without conditions 5 and 6. The Board is requested to do as they feel appropriate. Attorney Anderson further clarified the canopy sign is not very visible from northbound traffic because of the shopping center sign and landscaping.

Alice Howard felt the current sign placement was conducive for travelers to see the advertised gas price.

Staff Recommendation was for Approval with 6 conditions. No Objectors were present.

Mr. Cagnoni clarified that in consideration of there being only 4 members all 4 votes are needed for Approval to move this item forward to Codes and Regulations with a positive vote. In an effort to move

forward if the Board wishes to eliminate conditions 5 and 6, Staff would share the Board's concerns with the Codes and Regulations Committee when this item is up for vote.

A **MOTION** was made by Dan Roszkowski to **APPROVE** the Modification of Special Use Permit #096-93 for a 25 foot x 25 foot addition to an existing convenience store; **APPROVE** the Variation in the landscaping requirements to allow landscaping as shown on the site plan with the elimination of the internal northeast planter; **APPROVE** the Variation from the required nine (9) parking spaces to five (5) parking spaces in a C-3, Commercial General District at 1621 North Alpine Road, with the elimination of conditions 5 and 6 as written by Staff, and the addition of condition 5 to read "Applicant to work with Staff on the existing freestanding sign". The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. A civil site plan shall be submitted for staff review and approval.
2. Detailed elevations shall be submitted for staff review and approval.
3. If new outdoor lighting will be provided, an illumination (photometrics) plan shall be submitted for staff review and approval.
4. Approval of the Legal Department for the expansion of the packaged liquor sales in the proposed building addition.
5. Applicant to work with Staff on the existing freestanding sign.

ZBA 022-08
Findings of Fact for a Modification of Special Use Permit #096-93
For a 25 foot X 25 Foot Addition to An Existing Convenience Store
In a C-3, Commercial General District at
1621 North Alpine Road

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The proposed development will be consistent with other development in the area.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to the applicable regulations of the C-3, Commercial General Zoning District in which it is located.

ZBA 022-08
Findings of Fact for a Variation
In Landscaping Requirements to Allow Landscaping As Shown
On the Site Plan with the Elimination of the
Internal Northeast Planter
In a C-3, Commercial General District at
1621 North Alpine Road

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for a Variation is based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of the Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of the Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, nor substantially increase the congestion of the public streets, nor increase the danger of fire, or endanger the public safety, nor substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

ZBA 022-08
Findings of Fact for a Variation
From Required Nine Parking Spaces to Five Parking Spaces
In a C-3, Commercial General District at
1621 North Alpine Road

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for a Variation is based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of the Variation is not based exclusively upon a desire to increase the value or income potential of the property.

4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of the Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, nor substantially increase the congestion of the public streets, nor increase the danger of fire, or endanger the public safety, nor substantially diminish or impair the property values within the neighborhood.
8. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

With no further business to come before the Board, the meeting was adjourned at 7:20 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Zoning Board of Appeals